

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MICHAEL JOSEPH PITKIN,

Y

Plaintiff.

CHARLES G. KRASNER, *et al.*,

Defendants.

Case No. 3:20-cv-00340-MMD-WGC

ORDER

11 Pro se Plaintiff Michael Joseph Pitkin brought this action under 42 U.S.C. § 1983.
12 (ECF No. 1-1.) In a prior order, the Court dismissed Plaintiff's Complaint, but granted
13 Plaintiff leave to file an amended complaint within 30 days. (ECF No. 7.) The Court
14 explicitly stated in that order that, "if Plaintiff fails to file an amended complaint within 30
15 days, the Court will dismiss this case with prejudice." (*Id.* at 3.) More than 30 days have
16 elapsed, but Plaintiff has not filed an amended complaint. "Pursuant to Federal Rule of
17 Civil Procedure 41(b), the district court may dismiss an action for failure to comply with
18 any order of the court." *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260 (9th Cir. 1992); see also
19 *id.* at 1260-63 (affirming dismissal for failure to comply with an order requiring amendment
20 of complaint). And as a function of that power in this case, the Court will dismiss Plaintiff's
21 case with prejudice because Plaintiff has not filed an amended complaint within the time
22 provided by the Court, despite the Court's order that he must.

It is therefore ordered that this case is dismissed with prejudice.

The Clerk of Court is directed to enter judgment accordingly and close this case.

DATED THIS 29th Day of October 2020.

MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE